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Jessica Holmes

9:21 AM (2 hours ago)



to Matt, BOC, Itauss@indyweek.com, Anna ▾

Commissioner Calabria:

The statement below is a false. You are either intentionally misleading the public or intentionally being inflammatory and disingenuous.

The record specifically reflects that there was never an intention to sell to the highest bidder. You should review the recording, publicly retract this statement and apologize.

You should also be aware that Manager Ellis moved forward with this plan at my direction per my promise made at the board table, and email records reflect this.

Please address the statement below that you posted on Facebook.

“On January 7 of this year, the Commission voted 4-3 to declare the South Wake Park property “surplus,” to immediately begin entertaining bids for the property, and to sell it to the highest bidder.”

Sincerely,

**Jessica N. Holmes, Chair
Wake County Board of Commissioners**

Sent from my iPhone

Please excuse typos

E-mail correspondence sent to and received from this address may be subject to disclosure under the North Carolina Public Records Act unless made confidential under applicable law.

Sig Hutchinson

9:44 AM (2 hours ago)



to Jessica, Matt, BOC, Itauss@indyweek.com, Anna ▾

My understanding from the beginning was that the original motion or intent was for the surplus land to be sold to the highest bidder, and then you Chair Holmes said that you didn't think it had to go to the highest bidder. Which was your opinion and felt the need to clarify from your perspective. Which was fine. But my impression was that the original motion or intent was to sell to the highest bidder which would also make sense from Vice Chair Ford of wanting to make sure the County was compensated to the full extent of transparency and accountability.

I might be missing something but this is my understanding of what happened.

Sig

Sig Hutchinson

Wake County Commissioner



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to Scott, David, Jessica, BOC, Itauss@indyweek.com, Anna ▾

Chair Holmes,

I don't think this method of communicating questions or concerns is particularly appropriate or constructive. Nonetheless, I made the statement you mentioned only after consulting the documents to which you refer.

Item 3 in our records is the resolution the board passed by 4-3 vote on January 7: <https://wake.legistar.com/LegislationDetail.aspx?ID=3825572&GUID=BA2FB58A-5DEE-47BF-9561-CE1E70A1A1AA&Options=&Search=>

Specifically:

1. The resolution states that: "That the Property is declared surplus and staff is directed to solicit offers for its sale in accordance with the terms set forth in this Resolution and the upset bid procedures set forth in North Carolina General Statute § 160A-269." That statute provides: "A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. . . . [The upset bid process of receiving higher and higher bids] shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder."
2. The resolution provides that: "After completion of the upset bid process, the Board will formally approve the final high offer before the sale is closed."
3. The resolution states that "the Board has expressed a desire to sell the subject Property to retire the debt associated with its purchase," which is a goal that can only be achieved if the land is sold for \$3.95 million or more.

The actual resolution that commissioners passed is unambiguous. Certainly various individual aspirations were articulated, though when efforts were made to slow down the process to more thoroughly consider what the board should/will do, that motion was voted down.

I am glad that the new plan has and continues to receive the input and support of the commissioners, and I am grateful that the county manager has been in regular communication with us regarding the developing plan. As I also mentioned in my post, "[m]any have been working diligently behind the scenes to develop this proposal." I am appreciative of everyone's efforts, including yours. If passed in its current form, the plan is one that the entire commission should be proud of. After the long public dialogue on this issue, I would hope that a united commission can be positive and forward-looking rather than retrospective and relitigating.

Best,
Matt

On Feb 14, 2019, at 11:56 AM, Jessica Holmes <Jessica.Holmes@wakegov.com> wrote:

Commissioner Calabria:

I agree that this method of communication is unfortunate and less than ideal. However, communicating a falsehood to the public is even more disturbing and you tend to take the approach of deny and or lie when concerns are brought to you directly.

Additionally, I am admittedly appalled that a sitting commissioner would keynote a fundraiser to acquire funds intended to sue the county. This action very clearly evidences how you planned to have this issue resolved in spite of your recent words to the contrary. While this action may be technically legal, it is unethical and or at the very least flies in the face of our oath and fiscal commitment to Wake County.

The reality is that you were not at all engaged in conversations regarding the proposed solution that will be discussed on Monday and are only now seeming to claim credit and involvement as this best suits your narrative that you are the good guy and the rest of us are anti-park and or anti-open space. Your political maneuvering throughout this process has been divisive and counterproductive, and at times intentionally misleading to the public.

Your response does not address the fact that the county may but is not obligated to accept the highest bidder. The recording referenced in my original email is the video recording of the board meeting during which I dispelled the misconception that we would seek to sell the land to the highest bidder and informed the public that I would work on a compromise solution intended to keep some if not all of the land as open space and or a park.

Your statement is false. I reiterate my request that you review the “video” recording of the meeting where I directly addressed your assertion, retract your statement and apologize for misleading the public regarding the intentions of your colleagues.

While I disagreed with several statements in former commissioner Portman’s letter to the Indy published on January 16, 2019, he stated “After the vote, the chair said she did not plan to sell the land to the highest bidder . . . “ My statement was made after clarification from the county attorney that the county may but is not obligated to sell to the highest bidder. Clearly this is accurate as the vote on Monday intends to convey the land to the Town of Fuquay at no cost.

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to Jessica, BOC, David, Itauss@indyweek.com, cbrowder@wral.com, Anna ▾

Chair Holmes,

Again, it's not appropriate to engage in these kinds of conversations by reply all, and I request that they cease as they risk violating open meetings law—even if you chose to copy media on them. This will be my final email in this string, though I welcome anyone to reach out to me.

As for what the county voted to do on January 7, I again refer everyone to the resolution that was passed, which speaks for itself. I have made no comments regarding what you personally want or wanted to do with the land, and you alone have made reference to your personal aspirations regarding the South Wake Park land. As you know, someone's private ambition is not the law. Contemporaneous or subsequent statements by elected officials or others are not the law. The text of the law is the law.

Besides, now claiming that the board decided something totally different doesn't pass the smell test. No observer walked out of the boardroom on January 7 and thought: "Oh good, now it will be preserved as a park."

In contrast to your emails below and comments made elsewhere, I don't believe one can look through the dialogue over the past couple of months and find a single instance in which I have publicly engaged in personal attacks on another commissioner, and I believe that disagreements should remain professional and not devolve into vague smears, accusations, and name-calling. I'm glad that you are and/or have been interested in a compromise solution. To the extent that anyone has contributed to or is responsible for our current solution—in any measure, large or small—I'm glad for that, too. Nothing I have said or written is inconsistent with that.

To my knowledge, no current or former commissioner has urged residents to sue the county. Some residents were imminently about to file a lawsuit on two separate occasions: right after the January 7 meeting, and right after commissioners issued the 13-page memo reasserting previously made arguments related to the park. On both occasions, I was called in to talk to the attorneys for the residents and urge them not to file their lawsuit, which I did through the course of several phone calls. Please feel free to check in with the county attorney about this. To my knowledge, no one else has done a single thing to actually lower the likelihood of litigation. This entire issue is a fabrication to begin with, but if you call those who put on the event, they will tell you that it was a general event for their advocacy effort and not a fundraiser for a specific purpose. Even if it were, though, no unethical behavior came even close to occurring, as the School of Government has already confirmed. Any attendance at that event would, at worst, be no different from a state elected official speaking at an event for any of the many statewide organizations that have or do sue the state.

Nonetheless, it is unbecoming of this commission for anyone to accuse a colleague of unethical behavior (especially on such a non-issue) simply because they don't like something or someone. It is also unbecoming to publicly throw any allegations one can think of up against the wall in the hope that a reporter will take interest in one of them and more loudly repeat one's negative messages.

Nowhere has anyone said they were solely responsible for the solution currently being hammered out, nor should they. However, absence of knowledge is not knowledge of absence. You may be unaware of the numerous conversations other commissioners and I have had with county staff and both phone and sit-down meetings with Fuquay-Varina elected officials and staff, but that doesn't mean they didn't happen.

There's a larger issue here, though, and the subtext is really the text. The commissioners are now entertaining a solution that will hopefully garner the support of all of us, and one hopes that it will be well-received by most in the community. As part of this process, commissioners may feel that they have to privately or publicly reconcile what they have previously said or done with this new proposal. Given the overwhelming public feedback, some may feel as though they need to show how they were really for a park all along.

Regardless of whether that is the case, this is an opportunity to rejoice, not to quibble over who thought of it first, who worked on it most, or who wanted to preserve the land from the very beginning. And it's certainly not an opportunity to use a disagreement about what a law says as an entre into smearing commissioners who have taken other positions. Emails seeking credit or acknowledgement are inappropriate and counterproductive, and they focus on the wrong thing. But it's especially perverse to act as if acknowledgement is some sort of zero-sum game; just because one person worked on something doesn't diminish someone else's efforts. We should rise as a commission and a county. We should not seek to rise by pushing others down.

The initiation of this back-and-forth is harmful to the entire commission. It is devoid of public policy purpose and a distraction from the issues we should be focusing on.